

IN THE UNITED STATES BANKRUPTCY COURT
District of Puerto Rico

In the Matter of:

MELISSA DE HOSTOS ALVAREZ

Debtor(s)

Case No. **12-00857 MCF**

Chapter 13

POST CONFIRMATION MODIFICATION OF PLAN

TO THE HONORABLE COURT:

The undersigned, attorney for the above-named debtor, notifies the Court as follows,

1. Banco Popular filed a motion requesting lift of stay and debtor paid all the post petition arrears except attorney's fees. To take care of this expense and avoid increasing plan monthly payment, debtor has amended her confirmed plan to increase base by adding \$600.00 to the lump sum which will be sufficient to solve the situation.
2. The amended plan, if approved by the court and not objected by any party, will become binding unless timely objected. A final hearing is schedule for August 27 in order to verify debtor's action upon the agreed amendment.

NOTICE

TAKE NOTICE that within twenty one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted or decided without actual hearing unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

WHEREFORE, we respectfully request from this Honorable Court to take notice of the informed above and and confirm modified plan dated August 23, 2013.

CERTIFICATE OF SERVICE

I CERTIFY that a copy of this motion has been filed with the Clerk of the Court that will send notice to the Chapter 13 trustee Alejandro Oliveras Rivera and all parties subscribed to the CM/ECF system. All other non participants have been notified on this date with a copy of the motion regular mail using the US Postal Service, as per Master Address List attached.

In Vega Baja, Puerto Rico, this day August 23, 2013.

**s/ Juan O. Calderon Lithgow
JUAN O. CALDERON LITHGOW
ATTORNEY FOR DEBTOR, 205607
PO BOX 1710
VEGA BAJA, PR 00694-1710
TEL.: 787-858-5476
Email: caldlithlaw@gmail.com**

IN RE: **MELISSA DE HOSTOS ALVAREZ**BK. CASE # **12-00857** **MCF**

AD-9 CALLE 2 URB ALMIRA, TOA BAJA 00949

CHAPTER 13

DEBTOR(S) SSN: **XXX-XX-2216** SSN: **XXX-XX-**

CHAPTER 13 PAYMENT PLAN

NOTICE: * The following plan contains provisions which may significantly affect your rights. You should read this document carefully and discuss it with your attorney. When confirmed, the plan will bind the debtor and each creditor to its terms. Objections must be filed in writing with the Court and served upon the debtor(s), debtors' counsel, the Trustee and any other entity designated by the Court, at the 341 meeting of creditors or not less than twenty (20) days prior to the scheduled confirmation hearing. For post confirmation Plan Modifications, objections must be filed and notified in the same manner within twenty (20) days from its notification. * See the notice of commencement of case for 341 meeting date and claims bar date, the latter is the date by which a proof of claim must be filed in order to participate of the plan distribution.

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee:
☒ directly ☐ by payroll deductions, as hereinafter provided in the PAYMENT PLAN SCHEDULE.
 2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.
☒ 3. The Confirmation Order will not vest property of the Estate on Debtor(s) until the Order discharging Debtor(s) is entered.

PLAN DATED:

☐ PRE ☒ POST-CONFIRMATION☒ AMENDED PLAN DATED: **8/23/2013**FILED BY ☒ DEBTOR ☐ TRUSTEE ☐ UNSECURED CREDITOR

I. PAYMENT PLAN SCHEDULE

\$ 250.00 x 8 = \$ 2,000.00
 \$ 0.00 x 2 = \$ 0.00
 \$ 250.00 x 50 = \$ 12,500.00
 \$ x = \$
 \$ x = \$
 \$ x = \$
 \$ x = \$
 \$ x = \$
 \$ x = \$
 TOTAL = 60 \$ 14,500.00

Additional Payments:

\$ 28,428.00 to be paid as a LUMP SUM
 within 2 YEARS OF CONFIRMATION WITH PROCEEDS TO COME FROM

☐ Sale of property identified as follows:☒ Other: Refinancing of property.

Periodic Payments to be made other than and in addition to the above.

\$ x = \$

To be made on:

PROPOSED PLAN BASE: \$ **42,928.00**

II. ATTORNEY'S FEES

To be treated as a § 507 Priority, and paid before any other creditor and concurrently with the Trustee's fees, unless otherwise provided:

a. Rule 2016(b) Statement: \$ 1,000.00
 b. Fees Paid (Pre-Petition): (\$ 0.00)
 c. R 2016 Outstanding balance: \$ 1,000.00
 d. Post Petition Additional Fees: \$
 e. Total Compensation: \$ 1,000.00

Signed: /s/ MELISSA DE HOSTOS ALVAREZ
DEBTOR/s/
JOINT DEBTOR/s/ JUAN O. CALDERON LITHGOW
BY: ATTORNEY

II. DISBURSEMENT MADE IN THE FOLLOWING ORDER AND AFTER ADMINISTRATIVE EXPENSES

A. SECURED CLAIMS: ☐ Debtor represents that there are no secured claims.☒ Secured creditors will retain their liens and shall be paid as follows:1. ☐ ADEQUATE PROTECTION Payments: Cr. \$2. ☒ Trustee will pay secured ARREARS:

Cr. BPPR Cr.
 Acct. 071010010577040 Acct.
 \$ 16,722.86 \$

Cr. Cr. Cr.
 Acct. Acct. Acct.
 \$ \$ \$

3. ☐ Trustee will pay REGULAR MONTHLY PAYMENTS:

Cr. Cr. Cr.
 Acct. Acct. Acct.
 Monthly Pymt. \$ Monthly Pymt. \$ Monthly Pymt. \$

4. ☒ Trustee will pay IN FULL Secured Claims:

Cr. Cr. Cr.
 Acct. Acct. Acct.
 \$ 3,211.90 \$ \$

5. ☐ Trustee will pay VALUE OF COLLATERAL:

Cr. Cr. Cr.
 Acct. Acct. Acct.
 \$ \$ \$

6. ☐ Secured Creditor's interest will be insured. **INSURANCE POLICY** will be paid through plan:

Cr. Ins. Co. Premium: \$
 (Please indicate in "Other Provisions" the insurance coverage period)

7. ☐ Debtor SURRENDERS COLLATERAL TO Lien Holder:8. ☒ Debtor will maintain REGULAR PAYMENTS DIRECTLY to:

BPPR

B. PRIORITIES. The Trustee will pay §507 priorities in accordance with the law [§1322 (a)(2)].

☒ IRS, DEPTO DE HACIENDAC. UNSECURED PREFERRED: Plan ☒ Classifies ☐ Does not Classify Claims.☒ Class A- ☐ Co-debtor Claims: ☐ Pay 100% / ☐ "Pay Ahead". BPPR FEES

☐ Class B- ☐ Other Class: ☐ Cr. ☐ Cr. ☐ Cr.
 \$ \$ \$

D. GENERAL UNSECURED NOT PREFERRED: (Case Liquidation Value = \$ **0.00**)☐ Will be paid 100% plus % Legal Interest ☐ Will be paid Pro-Rata from any remaining funds

OTHER PROVISIONS:

ANY TAX REFUND WILL BE PAID TO THE PLAN WHILE PETITION IS ACTIVE. INSURANCE TO BE PROVIDED ON BEHALF OF FORD MOTORS. COVERAGE OF \$1,092.00.

LUMP SUM HAS BEEN INCREASED BY \$600.00 IN ORDER TO PAY ATTORNEY'S FEES TO BANCO POPULAR CHARGED FOR LIFT OF STAY PROCEDURE.

MELISSA DE HOSTOS ALVAREZ
AD-9 CALLE 2 URB ALMIRA
TOA BAJA, PR 00949

DEPT OF THE TREASURY
PO BOX 9024140
SAN JUAN, PR 00902-4140

WESTERBANK
PO BOX 430
MAYAGUEZ, PR 00681-0430

JUAN O. CALDERON-LITHGOW
JUAN O. CALDERON-LITHGOW
P.O. BOX 1710
VEGA BAJA, P. 00694-1710

DTOP
PO BOX 41269
SAN JUAN, PR 00940

AMELIA ALVAREZ
PO BOX 235
BAYAMON, PR 00956

FORD MOTOR CREDIT CORP
NATIONAL BANKRUPTCY CENTER
PO BOX 537901
LIVONIA, MI 48153

BANCO POPULAR
PO BOX 70100
SAN JUAN, PR 00936-7100

INTERNAL REVENUE SERVICE
PO BOX 7346
PHILADELPHIA, PA 19101-7346

BANCO SANTANDER
PO BOX 362589
SAN JUAN, PR 00936

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PO BOX 7346
PHILADELPHIA, PA 19101-7346

BANCO SANTANDER
PO BOX 362589
SAN JUAN, PR 00936

INTERNAL REVENUE SERVICE
PO BOX 7346
PHILADELPHIA, PA 19101-7346

CITI USA
PO BOX 6241
SIOUX FALLS, SD 57117

NCO PTM/22
507 PRUDENTIAL RD
HORSHAM, PA 19044

COMMOLOCO
PO BOX 41012
MINILLAS STATION
SAN JUAN, PR 00940

PREPA
P.O.BOX 363508
SAN JUAN, PR 00936

COMMOLOCO
PO BOX 41012
MINILLAS STATION
SAN JUAN, PR 00940

R&G PREMIER BANK
PO BOX 2510
GUAYNABO, PR 00970